

REMARKS

The Examiner has rejected claims 10-29 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement because the claim limitation, “the carbon of said monolithic porous carbon structure is not bound to silica” is new matter and is “not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.” The Examiner further stated that “there is nothing to support that the porous carbon structure formed from such organic materials is not bound to silica.” The applicants respectively disagree.

The specification clearly describe that the present invention does not use any ceramic binder or silica and in fact clearly distinguishes the prior art using such a binder. For example, the specification describes that extruded monoliths prepared by using a ceramic material as a binder suffer from the primary defects of low carbon contents, poor thermal and electrical conductivity and relatively poor strength. Page 12, lines 10-19. Furthermore, the descriptions of the invention and examples clearly show that the present invention does not use any silica binder and thus the carbon of the monolithic porous carbon structure is not bound to silica. *See* page 16-17 and 23-24. In fact, there is no single embodiment or description that suggests use of silica as a binder or supporting material. One of skill in the art by reading the description of the invention as well as the examples therein could understand, without any difficulty, that the present invention does not use any silica binder and the carbon of the monolithic porous carbon structure is not bound to silica. As shown in the Examiner’s own rejection language recited above, the written description requirement under 35 U.S.C. §112, first

paragraph does not require a *verbatim* disclosure of the claimed language in the specification. Rather, it only requires reasonable conveyance of the invention to one of skill in the art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The applicants respectively submit that the specification provides such conveyance and the negative limitation, “is not bound to silica” is not a new matter. Thus, the rejection under the section 112 should be withdrawn.

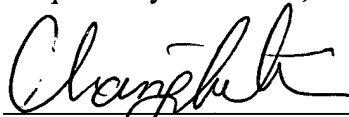
Claims 10-29 are conditionally rejected under 35 U.S.C. §102(b) as being anticipated by WO99/62616 without the limitation rejected under the section 112. The limitation is not a new matter as explained above, and effectively overcomes this ground of rejection. As stated in the response filed July 21, 2005, the ‘616 reference discloses as the invention a “carbon structure which comprises a porous silica substrate having carbon bound to at least the surface of the substrate.” *See* page 2, lines 13-15 of the ‘616 reference. By contrast, the instant invention is drawn to monolithic porous carbon filters, which are made from carbon only and not by binding granular carbon to a silica substrate. The ‘616 reference in no way suggests such filter preparation, but rather teaches directly away from it. Moreover, as stated hereinabove, the instant specification already acknowledged that a carbon structure formed by binding carbon to a silica substrate has several disadvantages, including a low maximum carbon content in the finished carbon monolith, poor or no electrical conductivity and reduced thermal capacity. *See, e.g.,* page 11, line 21 to page 12, line 19 of the instant specification. Because the ‘616 reference does not teach or suggest the claimed subject matter, applicants respectfully request that the rejection of claims 10-29 under 35 U.S.C. §102(b) be withdrawn.

In view of the argument set forth hereinabove, the applicants believe that all grounds of the rejections have been traversed and thus respectfully requested allowance of the present application.

If the Examiner believes that there are still any other concerns or issues that prevent the Examiner from allowing this case, the Examiner is respectfully requested to contact the undersigned attorney for a telephonic examiner interview.

One month extension to the time for responding to the Office Action is respectfully requested and the appropriate fee is enclosed. Applicants believe that no additional fees are due. In the event that fees are due, however, the Director is hereby authorized to charge payment of any such fees to Deposit Account No. 02-4377.

Respectfully submitted,



Chang Sik (Charles) Kim
Reg. No. L0050
(212) 408-2678

Jeffrey D. Sullivan
Reg. No. 43,170
Attorney for Applicants
(212) 408-2600

Baker Botts L.L.P.
30 Rockefeller Plaza
New York, NY 10112-4498